

REMARKS

This paper is in response to the Office Action dated December 19, 2006. Claim 1 is amended, claim 12 is added and claims 2-9 are canceled without prejudice or disclaimer as to the subject matter involved. Applicants reserve the right to file one or more continuation or divisional applications directed to any canceled subject matter. Basis for the amendments may be found, for example, throughout the specification and in originally presented claims 2 and 6. Accordingly, no new matter is added thereby.

Claims 1 and 11 – 12 are in the application upon entry of this amended. Entry of this amendment, reconsideration and reexamination of the above-identified application are respectfully requested.

By way of summary, the presently claimed invention relates to a method of inhibiting the formation of *Coniferophyta* pollen, which comprises applying a pollinosis inhibiting effective amount of a composition comprising a prohexadione compound to the *Coniferophyta* plant being treated. Applicants respectfully submit that the presently claimed method is fully supported, described and enabled by the specification as originally filed.

The specification has been amended to insert reference to Table 9 located in the paragraph bridging pages 46 – 47 as originally filed.

The Examiner rejected claims 1 – 10 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement for the reasons given on page 2 of the official action. Applicants respectfully traverse. First, Applicants note that the specification outlines a method for inhibiting pollinosis using prohexadione compounds such as those of formula AI. Numerous examples of these compounds are clearly described in the application as originally filed including, for example, on page 7, tables 1 – 2 and in the examples. Second, numerous plants of the division *Coniferophyta* are specifically described, for example, on pages 19 – 20 of the specification. Accordingly, Applicants respectfully submit that the instant application does clearly convey to those skilled in the art the information that the Applicants possessed the claimed invention at the time of the application. The disclosure of prohexadione compounds and the *Coniferophyta* species including *C.japonica* clearly are described, and therefore, the specification

fully complies with the written description requirement of 35 U.S.C. § 112, first paragraph.
Reconsideration and withdrawal of the rejection are respectfully requested.

Applicants respectfully traverse the rejection of claims 1 - 10 under 35 U.S.C. §112, first paragraph, as not being enabled by the disclosure for the reasons given on page 2 of the official action. It is Applicants' position that one of ordinary skill in the art would be readily aware of suitable prohexadione compounds useful in the claimed method based upon the guidance provided, for example, on pages 3 – 20 of the instant specification. In addition, representative examples have been provided which support the disclosure of the present invention. The Examiner's attempt to limit the claims to the specific examples notwithstanding the clear disclosure of a broader invention is clearly improper. Moreover, Applicants need not provide data for all prohexadione compounds and all *Coniferophyta* species falling within the scope of the claims or to disclose every operative example thereof. This is because one skilled in the art is fully apprised by Applicants' disclosure of what the invention is and how to use it. The only relevant concern of the Patent Office under the circumstances should concern the truth of the assertions contained in the application. In view of the record as a whole, Applicants respectfully submit that one of ordinary skill could practice the claimed invention based on the teachings of the specification as filed without undue experimentation. For the reasons above, the Examiner is respectfully requested to reconsider and to withdraw the rejection of claims 1 – 10 under § 112, first paragraph.

Nevertheless, Applicants have amended the claims in order to advance the prosecution of the instant application by incorporating the limitations of original claim 6 into claim 1. Applicants respectfully submit that the instant claims 1 and 11 – 12 are fully compliant with § 112, first paragraph. As noted above, Applicants reserve the right to pursue any canceled subject matter in one or more continuation and/or divisional applications.

The Examiner also rejected claims 1 – 17 (*sic* 1 – 10?) for the reasons given on page 3 of the official action. It is not clear to the Applicants how the Examiner's reasoning ("one could not know that the treatment would prevent all beetles or fungus from infesting all trees") is applicable to the instant claims. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

In view of the foregoing amendments and remarks, Applicants submit that claims 1 - 10 (now 1 and 11 - 12) are fully compliant with § 112 and are in condition for allowance. Reconsideration and withdrawal of all rejections are respectfully requested, along with the issuance of a Notice of Allowance. Applicants invite the Examiner to telephone the undersigned attorney of record if the Examiner feels such a call would advance the prosecution of the above-identified application.

Respectfully submitted,

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